



November 13, 2023

Erin Higgins, Education Research Analyst
U.S. Department of Education
Institute of Education Sciences
National Center for Education Research
550 12th St, SW, Room # 4128
Washington, DC 20202

Re: Docket ID ED-2023-IES-0011

Dear Ms. Higgins:

On behalf of the Software & Information Industry Association (SIIA), I write to comment on the Seedlings to Scale Request For Information issued by the Institute of Education Sciences (IES) of the Department of Education (ED).

SIIA is the principal trade association for the software and digital content industry. Our members include the nation's leading publishers and innovative developers of digital products and services for K-20 education, including digital instructional materials, education software and applications, online educational programs, professional development, and related technologies and services for use in education. In addition, all of our nearly 400 members depend on the nation's schools to provide a skilled workforce with both academic proficiency in core subject areas and 21st-century skills. SIIA members support the efforts of ED to increase funding for technological tools, resources, and products that increase education outcomes of students in schools.

Education institutions (PK-20) continue to see the need for new technologies that assist with digital skills, and knowledge that create a more digitally literate generation. Educators and students need the opportunity to embrace new technologies that assist with creating a positive and effective learning environment. Understanding the importance of personalized learning outcomes for neurodiverse students and marginalized populations, our members provide services that contribute to the overall goal of the RFI, which is increasing the accessibility of all student populations to interact and prosper in a digital world.

SIIA is pleased that ED recognizes the need for funding high-reward, scalable solutions that help improve education outcomes for all students. Our members have led the way in providing students, educators, and schools with innovative tools to help maximize the educational experience. Building on the success of ed tech, SIIA submits the following comments and information.



Response to Questions

Answer to 2(a): SIIA believes that true partnership in education must include students, educators, parents and families, community members, researchers, and vendors of education technology. K-12 schools and universities use education technology for both educational and administrative purposes. It is imperative that teams include support from state and local levels, academia, and private industry to contribute to the input of developing successful technology for students.

In addition to these recommendations, we also implore ED to ensure that representatives of each aforementioned entity represent diverse backgrounds. As education technology is constantly evolving, perspectives from diverse stakeholders, including those at education technology companies, help address demands for opportunities for all types of students. Increasing diversity in access points to education - whether it is representation from a small or large ed tech company or stakeholders from rural or urban districts - will encourage the ed tech industry to continue to create more diverse digital options that are designed for many different types of educators, students, and families. The state of education depends on technology built, owned, and operated by individuals with diverse backgrounds. ED must make sure that partnerships are created to provide populations of diverse backgrounds, skills, and abilities to participate fully in education's technology opportunities.

Lastly, SIIA believes that the private sector will play a vital role in the future success of this initiative. Whether extending Small Business Innovation Research grants or developing tools that will be sustainable for the long term, private industry is both dedicated and motivated to create and sustain tools that make a difference in a learner's education.

Answer to 2(d): SIIA believes that educational technology should adhere to state and federal laws designed to ensure the security and privacy of student data. In order to see full compliance between schools and vendors, a clear understanding of federal and state guidelines is imperative to successfully incorporate new technologies related to student learning. Before new technology can be embraced, vendors as well as state/local leaders must have a clear understanding of how products work, as well as what is needed for the technologies to properly assess student learning outcomes. If policies, regulations, and laws are set in place, all key players interested in providing technology to students must be at the table to have a conversation.

There are several laws and practices that vendors of ed tech products must follow but those laws can vary from state to state and, in the case of K-12 education, school by school. Our members believe it is better for the industry if companies follow data privacy policies, regulations, and laws. Some of the legal regimes that educational technology must follow are the Family Educational Rights and Privacy Act (FERPA),



student accessibility under Title II of the American Disabilities Act (ADA), and federal education laws under the Every Student Succeeds Act (ESSA).

Other resources could include principles and best practices. For example, the use of artificial intelligence in products to help enable critical tools for personalized learning experiences and assistive technologies. SIIA believes that the successful deployment of AI technologies in education must be done in a way that supports those who use it, protects innovation in the field, and addresses the risks associated with the development and use of these new tools. From tutoring and test preparation to assessing learner performance to relatively simple tasks like checking the spelling and grammar of a document, AI technologies are and can have a great impact on teaching and learning. Because of this and to realize AI's promise, stakeholders must address and mitigate risks attendant to these technologies.

Last month, SIIA released *The Education Technology Industry's Principles for the Future of AI in Education*. These principles intend to guide the ed tech industry as the broader education community continues toward deploying these impactful technologies. In short, it focuses on these key areas:

- Principle 1: AI technologies in education should address the needs of learners, educators, and families.
- Principle 2: AI technologies used in education should account for educational equity, inclusion, and civil rights as key elements of successful learning environments
- Principle 3: AI technologies used in education must protect student privacy and data.
- Principle 4: AI technologies used in education should strive for transparency to enable the school community to effectively understand and engage with the AI tools.
- Principle 5: Companies building AI tools for education should engage with education institutions and stakeholders to explain and demystify the opportunities and risks of new AI technologies.
- Principle 6: Education technology companies and AI developers should adopt best practices for accountability, assurance, and ethics, calibrated to mitigate risks and achieve the goals of these Principles.
- Principle 7: The education technology industry should work with the greater education community to identify ways to support AI literacy for students and educators.

As the trade organization representing the leading companies in ed tech, SIIA's mission is to advance the responsible use of AI to enhance a learner's educational experience, while at the same time protecting their privacy, promoting educational equity, upholding civil rights, and developing important skills for the future. Our hope is that IES can utilize these tools to enlighten the work done by ed tech in schools.



Conclusion

SIIA commends the Department on its investment in educational technology. With the rise of technological advances in the world, many consumers and constituents in the education sector depend heavily on digital platforms to meet their educational needs. However, increasingly, many educators need access to new products in the digital landscape to best meet their needs for education and beyond. Our members take pride in providing ongoing support and efforts to promote the access of digital products, especially in the ed tech industry.

Thank you for your attention to the important issue of advancing educational technology in schools. SIIA and our member companies look forward to further working with ED and other federal agencies to support policies that advance educational technology and provide students with greater access to high-quality, innovative programs. Please feel free to reach out to me with questions or to discuss these issues further.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Danny G. Bounds Jr.", with a long horizontal flourish extending to the right.

Danny G. Bounds Jr.
Counsel, Education Policy